

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

KELLY ANN DRAKE,)	Civil Action No. 1:20-CV-85-FDW
)	
Plaintiff,)	
)	
v.)	
)	
ANDREW SAUL,)	
Commissioner of)	
Social Security,)	
)	
Defendant.)	

ORDER

THIS MATTER is before the Court on Defendant's Motion for Extension of Time to File the Electronic Certified Administrative Record and Answer to Plaintiff's Complaint (Doc. No. 14). Defendant was originally required to file the Electronic Certified Administrative Record and Answer to Plaintiff's Complaint on June 22, 2020. (See Doc. No. 10.) Twice, this Court has granted nearly identical motions in this matter. In granting the second request for an extension of time, the Court clearly cautioned Defendant: "The Court notes this is the second extension of time for Defendant and the Court does not anticipate granting a third similar motion." (Doc. No. 13.) This third motion presents no new information to the Court to warrant a delay, and most remarkably, presents no case-specific information as to why an extension to file the Administrative Record and Answer in *this case* is necessary, particularly where Defendant is preparing an *electronic* record and responsive pleading. Finally, the Court notes that Plaintiff's counsel, who consented to the prior motions, does not consent to the instant motion.

IT IS THEREFORE ORDERED the motion is DENIED. In light of the fact Defendant failed to file the instant motion for extension of time until the day of the related deadline, the Court

will allow seven (7) calendar days from September 21, 2020, for Defendant to comply. Counsel for Defendant is instructed that further extensions of time should be filed in advance of the deadline for which additional time is sought.

IT IS SO ORDERED.

Signed: September 22, 2020


Frank D. Whitney
United States District Judge